

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as amended and in light of the following discussion, is respectfully requested.

Claims 1, 3, and 5-11 are pending in this case. Claims 1, 5, and 9 are amended and Claims 2 and 4 are canceled by the present amendment. Changes to Claim 1, 5, and 9 are supported in the originally-filed disclosure at least at originally-filed Claims 2 and 4 and at paragraph [0049] of the published application. Therefore, no new matter is added.

The outstanding Office Action rejected Claims 1-11 under 35 U.S.C. § 103(a) as anticipated by Yokoi et al. (U.S. Patent No. 6,487,149, herein "Yokoi").

Applicants respectfully traverse the rejection.

The outstanding Office Action asserts that Yokoi teaches every element of Claim 1 except an amplitude variation signal generator "directly connected" to the push-pull signal generator, which the outstanding Office Action asserts, at page 4, as an obvious rearranging of parts that involves only routine skill in the art and which "does not affect the pre-pit detection process performed by comparator (34)," despite acknowledging that Yokoi describes the wobble detector 13 acting on the differential amplifier 63 output to input a wobble signal to the peak-hold block 30.

However, as described at column 8, lines 36-38, of Yokoi, the peak-hold block 30 outputs a wobble peak-hold voltage "VPH" **based on the wobble signal supplied from the wobble detector 13**. This output is supplied to the summing amplifier 32 and ultimately to the comparator 34 of Yokoi. Thus, the proposed rearrangement to directly connect the differential amplifier 63 to the peak-hold block 30 of Yokoi by taking the wobble detector 13 out of the input path to the peak-hold block 30 would prevent the peak-hold block 30 from outputting "VPH" and would render Yokoi unsatisfactory for its intended purpose.

Consequently, under MPEP § 2143.01(V), the proposed modification is improper and does not establish a *prima facie* case of obviousness.

Further, not only does Yokoi fail to teach or suggest the arrangement of the amplitude variation signal generator and the push-pull signal generator as defined by Claim 1, but Yokoi also fails to teach or suggest the amplitude variation signal generator itself, as defined by amended Claim 1.

The outstanding Office Action, at page 3, asserts the peak-hold block 30 of Yokoi as teaching an amplitude variation signal generator as defined by Claim 1. At page 5, with regard to Claim 4, the outstanding Office Action asserts the capacitor 732 of the prepit/wobble detection circuit of Yokoi as teaching an amplitude variation signal generator including a charging circuit and a discharging circuit as defined by amended Claim 1.

However, neither the peak-hold block 30 nor the capacitor 732 of Yokoi teaches all the features that define the amplitude variation signal generator of amended Claim 1. Specifically, neither the peak-hold block 30 nor the capacitor 732 of Yokoi teaches or suggests:

an amplitude variation signal generator directly connected to the push-pull signal generator and configured to generate and output a fundamental amplitude variation signal indicating the fundamental amplitude variation of the push-pull signal, wherein **the amplitude variation signal generator includes:**

**a charging circuit for charging a capacitor in response to an increase in amplitude of the input push-pull signal, in a peak holding manner with a predetermined limited rising-up time constant, and**

**a discharging circuit for discharging the capacitor such that the changed voltage of the capacitor falls down with a predetermined limited falling-down time constant whereby a signal corresponding to the charged level of the capacitor is output as the fundamental amplitude variation signal;**

Because Yokoi does not teach or suggest every element of Claim 1, even with the suggested modification, which itself is improper, Applicants respectfully request that the rejection under 35 U.S.C § 103(a) of Claim 1 and Claims 2-4, which depend therefrom, be withdrawn.

Claims 5 and 9, though differing in scope and statutory class form Claim 1, patentably define over Yokoi for substantially the same reasons as Claim 1. Thus, Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) of Claim 5, Claims 6-8, which depend therefrom, Claim 9, and Claims 10 and 11, which depend therefrom, be withdrawn.

Accordingly, the outstanding rejections are traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is, therefore, respectfully requested.

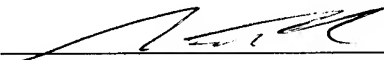
Respectfully submitted,

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